

P27151.A05.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**FAX RECEIVED**

In re patent application of

Docket No. P27151

MAY 08 2006

Dureseti Chidambarao, et al.

OFFICE OF PETITIONS

Serial No: 10/733,378

Group Art Unit: 2812

Filed: December 12, 2003

Examiner: Richard Booth

For: **STRAINED finFETS AND METHOD OF MANUFACTURE****Certificate of Transmission under 37 CFR 1.8**I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-0025 on 5/8/06.
SignatureAndrew M. Calderon, Reg. No. 38,093

Typed or printed name of person signing Certificate

**PETITION UNDER 37 C.F.R. 1.313(c)(2)
REQUESTING WITHDRAWAL OF THE APPLICATION FROM ISSUE**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Sir:

This is a Request for Withdrawal from Issue of the above-identified application.

The issue fee was paid on September 25, 2005. Applicant's representative recently discovered references which are cited in an IDS filed concurrently herewith. This discovery occurred subsequent to payment of the issue fee. In order to have the

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references considered, a Request for Continued Examination under 37 C.F.R. 1.114 is being filed concurrently herewith, as is an IDS making the references cited therein of record.

A Supplemental Information Disclosure Statement for the Examiner's consideration is being submitted on even date herewith in the mailroom. A signed copy of the Supplemental Information Disclosure Statement is submitted herewith, along with a signed Request for Continued Examination (as a courtesy).

In accordance with 37 C.F.R. 1.114(a)(1), grant of this petition under 37 C.F.R. 1.313 (c)(2) is respectfully requested.

Please charge the \$130 petition fee required under 37 C.F.R. 1.17(h) to **IBM Deposit Account No. 09-0458** (Fishkill). The Commissioner is hereby authorized to charge any additional fees and refund excess fees concerning the application to **IBM Deposit Account No. 09-0458**.

Respectfully submitted,
Dureseti CHIDAMBARRAO, *et. al*



Andrew M. Calderon
Reg. No. 38,093

GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

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GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

5/08/2006

File In: BY FAX

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

BY PETITION UNDER 37 C.F.R. 1.313(c)(2)

REQUESTING WITHDRAWAL OF THE APPLICATION FROM ISSUE

- | | |
|--|--|
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Claim of Priority & Certified Copy of _____ |
| <input type="checkbox"/> Executed Assignment and cover letter | |
| <input type="checkbox"/> Executed S.E.S. <input type="checkbox"/> S.E.S. Assertion | |
| <input type="checkbox"/> Req. for Ext. of Time | <input type="checkbox"/> Declaration <input type="checkbox"/> Executed |
| <input type="checkbox"/> Fee Filing <input type="checkbox"/> | <input type="checkbox"/> Unexecuted |
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| <input type="checkbox"/> PTOL-85B Issue Fee & Publication Fee (with copy) | _____ pages (w/abstract) |
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| <input type="checkbox"/> Provisional Application Cover Sheet | X I.D.S. form PTO-1449 & |
| X Request for Continued Examination (RCE) including Submission | Documents <input type="checkbox"/> as attached |
| <input type="checkbox"/> Cover Letter | <input type="checkbox"/> as listed on reverse |
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In the matter of : STRAINED FINFETS AND METHOD OF MANUFACTURE

Applicant : Dureseti CHIDAMBARRAO *et al.*

Application No. : 10/733,378

Filed : 12/12/2003

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AmL